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## THE RELATION OF THE COVENANT TO RECENT INTERNATIONAL COOPERATION

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THE able President of this University, the presiding officer of this meeting, has stated that our purpose is to determine whether or no the proposed Covenant promotes, or has a reasonable chance of promoting, the purpose toward which it is aimed, and second, whether it is in consonance with the traditions and policies and high ideals of this country.

Now, I take it that the particular theme that has been assigned to me in the discussion this morning is a little smaller than that, considerably smaller than that. As stated on the program, it is "The Relation of the Covenant to Recent International Cooperation." That calls not for an argument but for a narrative. Whatever your opinions may be upon the question that is so important to the people of this country and the people of the world, you may be interested in an entirely informal talk upon the relation of the Covenant as drafted to the international cooperation that went on during the war.

Perhaps, however, I should say that I think there is some misconception as to the purpose of the Covenant. We have heard a great deal in the last few years—ever since the European War started—about this being the last war. The Prime Minister of England, when he announced the armistice to the House of Commons on the afternoon of the 11th of November, said: "I hope we may say that thus, this fateful morning, came an end to all wars." I confess that such a statement calls for a greater degree of optimism and a greater degree of faith than I have. I doubt very much whether we are at the end of wars. Moreover, I feel that any responsible statesman that formulates a policy of national defense upon the theory that there are to be no more wars will not be taking proper

care of his own nation. But I do think that it will be a very great shame to the people of this generation if they cannot do something to reduce the chances of war. I think it will be a betrayal of a great many men who have died if this generation does not do all that it can to prevent a repetition of the world catastrophe under which we have been living for almost five years.

But we are not going to make headway unless we frankly recognize the nature of the problem. For almost five years we have heard a lot about plans for making war impossible. I think the people of this earth can make wars impossible when they want to do so—when they are willing to pay the price! We must not expect to get anything worth while for nothing. I do not think that the people of the world want to pay the price. Moreover, I do not think that they ought to pay the price! That may startle you. We speak of “peace” in a loose sort of way. What do we mean when we say that we want universal and perpetual peace? Mr. Spencer Wilkinson, in an able book which some of you may know, says that we use the word “peace” in at least three different meanings. In the first place, it may mean peace of mind, the peace of Marcus Aurelius, the peace of the New Testament. That kind of peace pretty much depends upon the one that wants the peace. In the second place, we may mean by the word “peace” the absence of strife with other members of the same state. When we say that we desire peace in that sense we mean that we desire to live rationally with our neighbors, that we want them to do justice to us, and that we want to do justice to them. It is hardly too much to say that it is the primary purpose of the state to create and preserve that kind of a peace. But there is a third sense in which we use the word “peace;” that is, to describe the absence of warfare with another state. When we talk about wanting perpetual and universal peace we generally mean that we want this third kind of peace, that we want to do away with armed, legalized conflict between organized states.

Now, do we want “peace” in the third sense *at any price*? I doubt if we want it at the price of peace of mind. Obviously, we do not want it at the price of domestic peace within the state. There was absence of warfare between organ-

ized states for a while during the dominance of Rome. For a short time there was what might be called universal peace; but it was a peace of force, it was a peace at the expense of liberty. It was order imposed by a central authority, and this order was at the expense of the liberty of the local communities. For three hundred years and more we have been getting further and further away from that kind of a peace, and one of the great things that they are doing at the Peace Conference at Paris to-day is to destroy the tag ends of that old Roman peace. One of the main jobs of this Peace Conference is to disentangle the dead fingers of the Hapsburg family from the central part of Europe. The Peace Conference is making five or six new states between Russia and Germany. Heretofore there has been considerable order in the area covered by these new States, but there has been very little liberty. They are destroying the remnants of the Roman peace in that part of the world because peace bought at the expense of liberty is too expensive a thing.

This is a very important thing to remember. In fact, I do not believe that we can have any intelligent discussion of this Covenant without realizing that the document does not create a world-state. The world is not ready for a world-state. The world is not ready for an international police force. An international police force that is strong enough to keep order in the world will be strong enough to impose injustice. The power to command that international police force will have to be given to some one. To whom are we to give it? To the United States? To England? To France? I do not believe that there is any responsible statesman in the world that believes to-day that the people of the world are ready for a world-state. Moreover, if you read the document carefully, I do not think you will find that it does create a world-state. Like most documents which are the result of agreement, it shows its complex origin. In more than one place its form is the form that might be used in the creation of a world-state, but its substance is the substance of an international convention; and it is the substance with which we are mostly concerned. I believe that the plans for a world-state which the seers have been making for more than three hundred years had very little influence on the substance of the document. I

believe that the document is the direct outgrowth of The Hague Conferences and of the international bodies that were formed during the war. And my purpose to-day is to tell you just a little about some of those international bodies and about the way that they worked.

In the earlier years of the great war, Great Britain, France and Russia were compelled to carry on what practically amounted to three separate wars against Germany. The three great states had different types of munitions, separate supply systems, separate military command. When Italy came into the war she added a new type of munitions, another independent supply system and another independent command. It has always been difficult for an alliance properly to coordinate and exercise the joint strength of its members. When the inner history of this war has been written, it will be disclosed that it has been no exception to wars carried on by alliances. When they were trying to get a unified military command, Mr. Lloyd George made a statement in the House of Commons which showed how difficult cooperation among allies is. He stated that he was ready to agree with the witty Frenchman who had said some weeks before: "I have about decided that Napoleon wasn't very much of a soldier. He never had to fight against anything but an alliance." Now, that statement is a fairly good picture of the way responsible statesmen looked at the question of cooperation.

In modern warfare a supply system stretches literally to the ends of the earth. The Allied governments were necessarily in active competition for raw materials, without which they could not successfully wage the war. Cruel experience taught the Allies the lesson of cooperation; German strength compelled them to put the teaching into practice. At first, cooperation was necessary to reduce the great financial burden imposed upon the Allied governments by the rapid advance in prices resulting from competitive buying. When the German submarine campaign reached its climax in the spring of 1917, the scarcity of shipping necessitated a much closer cooperation. It was no longer a question of what things cost, it had become a question of whether the necessary materials and food could be obtained at any price unless the several governments arranged to bring those commodities from the nearest source of supply.

In 1916 and 1917, a body known as the Wheat Executive, upon which England, France and Italy were represented, was formed. This body met in London; it made programs of the cereal needs of the three countries and determined the source of supply from which the needs of each country should be met. The principle of the Wheat Executive was that each of the partners was to submit to the others cereal programs for criticism, the belief being, and the result proving, that if each country knew the sacrifices that the other countries were making, friction in waging the common war could be avoided. The programs having been made, the Wheat Executive also undertook to carry them out. To this end it created a common buying organization. Great Britain from the beginning had made allocations of tonnage to France and Italy. After the Wheat Executive was formed she continued to furnish the tonnage necessary to transport the agreed cereal requirements.

After America's entry into the war an Inter-Allied conference was held in Paris in December, 1917. This conference adopted a much more comprehensive plan for dealing with the whole problem of imports from one country to another. It must be remembered that at this time it had become apparent that the vital problem of the war was the marshaling of the resources of the states opposed to the Central Powers in such a way that they could be brought to the point of contact with the enemy before it was too late. There was known to be a limited supply of materials and of maritime transport. The aggressive submarine campaign of the Germans was making the shipping situation more critical each month. The Paris Conference of December, 1917, realizing that waste by one state of any of its merchant tonnage was a weakening of the united war effort and, therefore, an injury to the whole Allied cause, struck out on a bold, new plan. This plan did not contemplate a pooling of tonnage under a single direction. In fact, as the record shows, such a proposal was made and rejected, partly because the Allies with tonnage would not delegate the absolute power to dispose of it, and partly because it was believed that such a plan would not lead to administrative efficiency. The plan adopted contemplated a complete interchange of information upon which, it was expected, joint action could be taken. Tonnage was to be allocated upon the general

principle that there should be a reasonably uniform standard of adequacy both as between commodities and countries. It was recognized that the main difficulty was to get the facts as to the imports necessary, and that these facts could be secured best by Inter-Allied bodies, the members of which would submit the import programs of their respective countries fully and frankly and invite friendly criticism thereon. Because of the shortage of shipping, it was contemplated that the total programs of imports thus made would be balanced against the total available shipping and necessary adjustments made to bring the requirements, if possible, within the carrying power of the ships.

Pursuant to the action of the Paris Conference quoted above, the Allied Maritime Transport Council was formed in February, 1918. Its chairman, while sitting in England, was Lord Robert Cecil, and while sitting in France, M. Etienne Clementel. As rapidly as possible thereafter, program committees, covering the whole range of imported commodities, were constituted, an existing committee being used if one had theretofore been organized.

The way it worked in practice was something like this: Italy would come in and say: "We need so much coal." France would say: "Italy doesn't need that much coal." You see, if Italy got all the coal she wanted, France would not get all she wanted. France would then say how much coal she wanted. Italy would say: "France doesn't need that much coal." Then the committee would balance all those claims, one against the other, adjusting the differences, just as you would adjust differences in the ordinary affairs of life, but starting out with the realization that the essential thing was to first get the facts. Instead of dealing at arm's length through the usual diplomatic channels, an expert from each government would be in a position to criticize the demands of the other governments, and, in turn, to receive their criticism. Many of the misunderstandings which resulted from incomplete facts were avoided. When the detailed program was agreed upon, a government was better able to curtail its requirements because of accurate knowledge of the sacrifices made by the other governments.

It was never contemplated that the Allied Maritime Trans-

port Council should control the various program committees. Inasmuch, however, as ships were the limiting factor, it was essential that, when the various committees had reduced their programs so far as in their judgment seemed possible, there should be further reduction if the total programs exceeded the amount of transport available. This resulted in the Allied Maritime Transport Council receiving the programs of all the program committees and making adjustments to bring the supplies within the carrying capacity of the ships. Moreover, it was not only the programs of the Allied countries that were dealt with. By means of control of the sources of supply, a very real control was exercised over neutrals. An effort was made to ascertain their needs and to see that those needs were supplied as equitably as possible, having in view the world shortage and the conflicting needs of Allies and of other neutrals.

It must be borne in mind that the representatives of the various governments on the Program Committees or the Allied Maritime Transport Council did not have power finally to bind their respective governments. To have given them such a power would have enabled them to control absolutely the economic order of the world. Even under the pressure of war, the governments were not willing to confer such a power upon a representative on an international board, on which he might be outvoted. The decisions as to what should be imported, where it should be imported from, and what ships should be used to carry the imports, were all, however, decisions which depended largely upon the facts. The finding of the fact, therefore, if correctly presented, tended more and more to make the decision. Many newspaper references to the Allied Maritime Transport Council and the Program Committees, and some books and magazine articles, have given the impression that they were international bodies *controlling* the vital supplies of life. This is not accurate. The control was a *national* control, dependent upon control of sources of supply and of shipping, embargoes on imports, the control of bunkering privileges and any other measure which any of the governments had put into force during the war. The *international* bodies referred to above were fact-finding bodies, meeting for international counsel in order to determine by

unanimous agreement how the various national controls should best be exercised in order to win the war. Each government settled its own problems, but its manner of exercising its control was greatly affected—especially in the European countries which had been longer in the war—by the findings of the Program Committees and the Allied Maritime Transport Council.

After the programs were agreed upon by the several governments, they could be carried out severally or by a common executive as the exigencies of each case might require. These executives were located at the point where they could operate most efficiently. Prior to our entry into the war, most of these executives were located in London. The Nitrate Executive, however, was located in Washington and when the war closed, an arrangement already had been made by which the Hides and Leather Executive should be transferred to Washington. It is probable that if the war had lasted much longer the Food Executive also would have been transferred to Washington.

To illustrate the wide range of subjects covered by these Inter-Allied bodies a few cases may be cited. Prior to the war wheat from India went through the Mediterranean to England, passing on the way wheat going from the United States to Italy. Under the Wheat Executive and the Program Committees, wheat from India stopped at Italy and the corresponding amount of wheat that would have gone from America to Italy went to England or France. This was not only a saving of ships but an avoidance of an unnecessary submarine risk in the dangerous western Mediterranean. England's oil-supply had come in very large quantity from the oil-fields of the Orient, in which her merchants had an interest, especially from Burma, Borneo and Sumatra. American oil companies had built up a large market in China and were carrying oil from the Atlantic seaboard to China. A re-routing, which was about to go into operation when the armistice was signed, was arranged through the Petroleum Conference, by which the American oil should go to England and the oil from the Far Eastern points should go to China. Early in 1918, Italy was desperately short of coal. Through the Allied Maritime Transport Council an arrangement was made by which coal was sent from southern France to Italy, partly

by an all-rail route and partly by rail to Marseilles and then by ship to Italy. To take care of the coal needs of France, which would have been seriously imperiled by this diversion of coal to Italy, large shipments of Cardiff coal were sent across the Channel to the northern French ports. The March 21st drive of the Germans precipitated a very serious coal question. The principal coal-supply of France was in what is called the Pas de Calais district. The German military success not only reduced the output of the mines in this district, but—what was more serious—prevented the carrying of coal from this district to the south of France because of the interruption of traffic on the main railway line to the south. An arrangement was, therefore, made by which the English army satisfied its coal needs from the French coal-mines in the northern district, and English coal was sent by ships to the more southerly ports of France to take the place of the coal which otherwise would have come from the Pas de Calais district. The whole theory of the Allied Maritime Transport Council was that, because of the pressure of war upon material and man power, it was the duty of all the states fighting against Germany to ascertain what were the paramount war needs and how those needs could be satisfied by the least consumption of material and the least waste of man power. It was really a world-wide application of the doctrine of "Goods and Services" which the War Savings Committees in both England and the United States have made familiar to millions of people.

When one examines carefully the structure of the Inter-Allied committees which the war forced upon the United States, Great Britain, France and Italy, certain results stand out which may well be remembered:

(1) Even when the Allies were fighting for their lives it was not possible—nor was it deemed desirable—to bring about any arrangement by which their resources could be merged under a single control.

(2) As long as the Allies had the strong common purpose of winning the war the questions about which they differed were largely questions of fact. Inter-Allied bodies to ascertain the facts were, therefore, of the greatest value in securing intelligent and united action by the responsible authorities.

(3) A permanent secretariat with members from all of the states concerned whose business it was to get the facts and collate them for responsible ministers in close touch with the home governments, was found to be an effective way of getting ready acceptance by the governments of a common plan of action.

The plan which I have outlined was a frank recognition of the fact that the separate Allies were separate states—that they could not merge their state management. They were forced to rely upon frank exchange of facts as the basis of cooperation. The principle that they adopted was really the principle of unanimous agreement. It is important to remember that for the last year and a half of the war it was upon the principle of unanimous agreement that the economic side of the war was waged; and I do not think it is any exaggeration to say that that was the only period during the war that any real cooperation, from the economic point of view, was attained.

Lord Robert Cecil was the chairman of the Allied Maritime Transport Council. He worked on international cooperation for eighteen months. It is not too much to say that he had more to do with the economic cooperation of the Allies during the last eighteen months of the war than any other living man. So far as he has had any influence in the preparation of the proposed Covenant for the League of Nations—and I judge from the newspaper reports that he has had considerable influence—I think he has used that influence to keep the Covenant from calling upon the states of the world to promise more than they could be expected to perform.

If international good faith is to be promoted in the world, if the plighted word of a nation is to remain a sacred thing, it is very important that nations should not promise more than they may reasonably be expected to perform. Moreover, a slight promise may tend to keep the peace much more than an onerous promise. Just about a year ago one of the leading statesmen of Great Britain said to me: "I want to see a League of Nations in which the promises which each nation makes are so slight that no Prime Minister would dare break the promise for fear of affronting the moral forces of his own country." That is a sound principle. The stronger you make the promises the easier it is for the leader of a nation to break

them. If a nation promises to go and talk difficulties over before fighting, it is likely to do it. If, however, it agrees to abide by a majority vote it is very easy for a leader to say that the cards are stacked against him, that if he goes to the meeting he will be out-voted, and that it will be national suicide to attend. Many responsible statesmen in Europe think that if we had had a secretary of The Hague Conference, this war would not have occurred. If a permanent secretary had extended the invitation for a conference which Lord Grey extended, it would have been hard for Germany to decline. We might well have had another war later on, when Germany believed herself strong enough to beat England, but it is possible that we might have avoided this war at this time. That opinion may or may not be correct. The French have always felt that if there had been anybody in Great Britain able to say that she would go in on the side of the Entente, the war would have been avoided. But whether or no that be correct, the principle is sound that you must not make promises beyond those that a nation is ready to perform.

The rule of unanimity of action—which has been criticised as a rule which renders the whole scheme impracticable—runs all through this Covenant. There are certain exceptions, to which doubtless other speakers will call your attention. The unanimity rule comes from The Hague Conferences, it comes from the experience of cooperation during the war. It is a recognition of the strong national aims of all the states, it is a recognition of the fact that practically every state in the world considers its most important problem to be to preserve justice and peace within its own borders and work out its own national problems. No state wants to give up the right to run its own affairs. I have heard many people talk in this country as though the European nations wanted to create a world-state in order to secure America's strength. Why, my friends, the national feeling of the states of Europe is just as strong as our own national feeling. In fact, until this war came, most students of history would have told you that it was much stronger, based upon the fact that we are made up of so many races. When you hear people say that they want a world-state, when they say that they want to spread a government like ours over the whole earth, ask them what is to be the relation of

the central government to the local government. Who is to govern the governors?

Will such a world-state ever come? Perhaps some day! But it will come when majorities and minorities are so sympathetic that the minority will assent to the majority from conviction rather than from fear. If the minority submits to the majority only through fear, it is a peace of force as much as was the Roman peace. We can't get away from the fact that this whole problem goes back to human nature. We have been a great many thousands of years building up the kind of states we have got, states in which it is roughly true that the minority assent to the majority, because they have enough in common with the majority to desire to be ruled by a majority vote. It is not an easy thing for men to cooperate with each other. It is not a very easy thing for President Wilson to cooperate with the Senate, or for the Senate to cooperate with President Wilson. How much more difficult it would be for either of them to cooperate with the Chinese!

Now, I think I have almost used up my time. I should like to talk to you about Article X and about the Monroe Doctrine, but that is not in my topic. Most people have talked or written about Article X as an absolute guarantee of boundaries. I do not so read it. It is not an unqualified guarantee of boundaries, it is a guarantee against *external aggression*. I hope that during the rest of this discussion some consideration will be given not only to the word "external" but also to the word "aggression." I also hope that there will be some discussion today of the Monroe Doctrine. When we finally make up our mind what we want to do about the Monroe Doctrine, I hope we will feel sure enough of the rightness of our rights to be willing to discuss the matter with other people. I look upon the Monroe Doctrine as fundamentally a great problem of national defense. Other nations have similar problems. Italy has her Fiume problem. For over a hundred years England looked upon the non-fortification of Dunkirk as a problem of her national defense. There are certain problems of this general type that nations at the present stage of the world's opinion may feel that they have to decide for themselves. Even if they take that position, however, they ought to be sure enough of the rightness of their rights to be willing to delay a bit while

they talk such problems over with their neighbors. With men, as with children, it is a good thing when angry to count one hundred. I, myself feel that no nation is big enough, or strong enough, or perfect enough, to justify a policy of declining to talk over its differences with other nations before it fights.

I hope the Covenant will be adopted. I hope it will be adopted because of the little that it attempts to do. I hope it will be adopted because it is in essence a reorganized Hague Conference, with regular meetings, and a permanent secretariat, and powers largely advisory.

I should be very glad to see an interpretive declaration adopted by the Senate—not a conditional acceptance—but an interpretive declaration of what America understands the document to mean. If there is any senator who thinks that a world-state is created, I should like to see in that interpretive declaration a statement that there is no intention of creating a world-state. I should hope that the President and the United States Senate might be able to agree upon the exact terms of such an interpretive declaration. If we are looking forward to a new world with everybody cooperating with everybody else, I should like to see us try first whether we can get some close cooperation between the President and the United States Senate. Without criticising either of them, I take the liberty of suggesting that neither side has as yet done enough along this line.

In this talk I have tried to keep within my topic. As some of you may know, I have ventured to set out more fully in another place some thoughts upon the meaning of the Covenant and the purposes aimed at by its draftsmen.<sup>1</sup> I am conscious that today I have touched only upon one phase of the subject. I am conscious that some of those who are to speak after me will disagree with what I have said. I quite understand that many people look upon this Covenant as a coercive document and fear that as a result of coercion very dire things will fall upon this country. I have no quarrel with such people. There are many men of many minds in the world; there are many men of many minds in this country of ours.

<sup>1</sup> *The Society of Free States*, by Dwight W. Morrow. Harper & Brothers, N. Y., 1919.

I see very little that is coercive in the Covenant, and that little is so hedged about with restrictions that I think the main reliance that can be put upon this Covenant to reduce the possibility of war must be in the fact that it will create a great clearing house through which accurate information may be obtained. It is easy, however, to see in the same words very many different things. For that reason I think we cannot have too much public debate as to the purposes and effect of this proposed new international arrangement. I was asked the other day to sign a paper urging the Senate to adopt the Covenant promptly. I was unwilling to sign such a paper. I do not want to add even the small influence of a single man to shutting off any debate upon this important document. I think it is vital that the people of the United States should understand their international obligations.

One thing we may all agree upon. The motives of the proponents or opponents of the Covenant are of very little importance. Surely, it is the duty of all reasonable men to avoid the assumption that those on the other side have motives less disinterested than their own. What does it avail to say that the President is promoting the League in order to become president of the world? Is it not equally bootless to accuse members of the United States Senate of opposing the Covenant from partisan motives? Whatever may be true of other races, the Anglo-Saxon race has not yet found any method of discovering political truth or error that compares with courteous controversy in public. By all means, then, let us have the fullest discussion in the United States Senate, in the press, in the pulpit, in the schools and in all public meeting places. The temper of that discussion will be a great test of our capacity as a self-governing people. Will we be able to keep in mind the advice of Alexander Hamilton, in the first number of the *Federalist*? "In politics, as in religion, it is equally absurd to aim at making proselytes by fire and sword. Heresies in either can rarely be cured by persecution."